

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JAMES L. DALLE, et al.,)
Plaintiffs,)
v.) No. 3:05-CV-482
AURORA LIGHTING, INC.,) (Phillips)
Defendant)

ORDER

This civil action is before the court upon notice that plaintiffs' counsel, Craig J. Donaldson has been summarily suspended from the practice of law in Tennessee. A review of the file reveals that defendant has filed an answer to the plaintiffs' complaint and the case is now at issue. Defendant has also filed a motion to disqualify Mr. Donaldson as plaintiffs' counsel because of the suspension of his law license. Mr. Donaldson has not responded to the motion to disqualify.

The court takes judicial notice of the fact that Mr. Donaldson has been summarily suspended from the practice of law in the State of Tennessee. While no motion to withdraw has been filed in compliance with LR 83.4, it is clear that Mr. Donaldson cannot continue to represent plaintiffs in this proceeding. Mr. Donaldson's designation as counsel of record in this case is hereby terminated.

Accordingly, plaintiffs are **DIRECTED** to do one of the following within thirty (30) days of entry of this order: either (1) plaintiffs must advise the court in writing if they intend to proceed pro se in this matter; or (2) if plaintiffs obtain other counsel, their attorney should file a notice of appearance with the court. Plaintiffs are advised that failure to timely comply with this order could result in sanctions, including the dismissal of this action for failure to prosecute. See Fed.R.Civ.P. 16(f) and 41(b).

The clerk is **DIRECTED** to send a copy of this order to plaintiffs James Dalle and Katherine Dalle by regular and certified U.S. mail at their last known address: 1509 Old Farm Road, Norman, Oklahoma 73072.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge